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*Attorneys for State Defendants*

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IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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JONELL EVANS, STACIA IRELAND,  
MARINA GOMBERG, ELLENOR  
HEYBORNE, MATTHEW BARRAZA,  
TONY MILNER, DONALD JOHNSON,  
and CARL FRITZ SHULTZ,

Plaintiffs,

v.

STATE OF UTAH, GOVERNOR GARY  
HERBERT, in his official capacity; and  
ATTORNEY GENERAL SEAN REYES,  
in his official capacity,

Defendants.

**RESPONSE TO PLAINTIFFS'  
MOTION FOR EXPEDITED  
HEARING ON PLAINTIFFS' MOTION  
FOR PRELIMINARY INJUNCTION**

Case No. 2:14-cv-00055-DAK

Judge Dale A. Kimball

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Defendants the State of Utah, Governor Gary Herbert, and Attorney General Sean Reyes, by and through counsel Parker Douglas, Chief of Staff and General Counsel, and Joni J. Jones, and Kyle J. Kaiser, Assistant Utah Attorneys General, provide the following Response to Plaintiffs' Motion for Expedited hearing on Plaintiffs' Motion for Preliminary Injunction (doc. 9.)

Plaintiffs seek a hearing on their Motion for Preliminary Injunction (doc. 8) "on the earliest date possible." (*Id.* at 2.) While Defendants agree the motion should be heard as soon as practicable, Plaintiffs' motion raises a number of complex and novel legal issues and the submission of new factual assertions. To adequately respond to Plaintiffs' motion Defendants request they be given the full fourteen days allowed by DUCivR 7-1(b)(3)(B) to prepare a response, and that no hearing be set until a date after the time allowed for briefing under DUCivR 7-1(b)(3).

Accordingly, Defendants do not object to an expedited hearing, so long as there is not an expedited briefing schedule.

DATED this 5<sup>th</sup> day of February, 2014.

OFFICE OF THE UTAH ATTORNEY GENERAL

/s/ Kyle J. Kaiser

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